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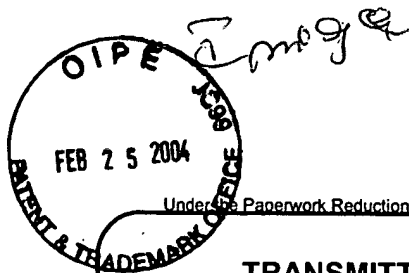
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1761\$

PTO/SB/21 (02-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/038,296	
	Filing Date	01/02/2002	
	First Named Inventor	Adrian Kawa	
	Art Unit	1761	
	Examiner Name	Curtis E. Sherrer	
Total Number of Pages in This Submission	113	Attorney Docket Number	10047-KINTARO

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	-IDS PTO-1449 w/ References
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

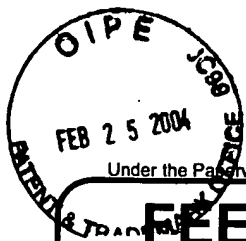
Firm or Individual name	Kamran Fattahi, Esq. Law Offices of Kamran Fattahi
Signature	<i>Kamran Fattahi</i>
Date	02/23/2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Kamran Fattahi
Signature	<i>Kamran Fattahi</i>
Date	02/23/2004

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PTO/SB/17 (10-03)

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)**235.00****Complete if Known**

Application Number	10/038,296
Filing Date	01/02/2002
First Named Inventor	Adrian Kawa
Examiner Name	Curtis E. Sherrer
Art Unit	1761
Attorney Docket No.	10047-KINTARO

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
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The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	16	-20** =	0	X		0
Independent Claims	2	-3** =	0	X		0
Multiple Dependent						0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0.00**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	55.00
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**235.00****SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Kamran Fattahi	Registration No. (Attorney/Agent)	35,758	Telephone	818-996-0015
Signature	<i>Kamran Fattahi</i>	Date	02/23/2004		

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August 13, 2002

Mr. Adrian Kawa
Kintaro Sake Company
2048 Broadway Place
Santa Monica, CA 90404

RE: Pineapple Infused Sake Preservation Results

Dear Mr. Kawa,

We have completed the stability study of the pineapple infused sake project. To refresh you on the specifics of what this study entailed, we applied 4 different treatments to two batches of pineapple infused sake; 145°F hot fill, 300 ppm potassium sorbate, 300 ppm sodium benzoate, 300 ppm benzoate and sorbate. The different treatments along with the control were then placed in a 86°F incubator as an accelerated shelf life test. Three replications of the above treatments were performed in 100 ml samples. The samples were visually inspected for swelling and physical separation every 3 days and plated to assess microbiological levels at weekly intervals. The microbiological analysis involved the determination of the levels of yeasts, molds and total aerobic plate counts in the various sake samples.

The results of the shelf life study over the course of the 181 day accelerated shelf life are as follows:

The samples were sampled weekly to determine the levels of bacteria, yeasts and molds. To assess the bacterial levels, Plate Count Agar (PCA) was used with duplicate 1 ml samples of each treatment and replicate treatments. The plates were incubated at 30°C for 2 days before enumeration. The counts are expressed as \log_{10} colony forming units (CFU)/milliliter. Yeast and mold were enumerated by taking 1-ml samples of the various treatments and mixing with acidified Potato Dextrose Agar (pH 3.5). The plates were incubated at 30°C for 48 hours before enumeration. The levels of yeast and molds are expressed as \log_{10} CFU/ml. There were no mold present in any of the samples so the values presented for yeast and mold counts represent solely yeast contamination levels.

All of the various treatments after 181 days at 30°F, showed no signs of spoilage over the entire course of the study which is represented by the constant level of bacterial counts and a yeast count of 0 for all replications of the 4 treatments. The 30°C holding is an accelerated shelf life study that is equivalent to double the time at 20°C which is normal room temperature. From the data of both trials, it does not appear that spoilage will occur in the product with any of the 4 treatments used for the pineapple infused sake. This does not take into account deviations from "normal" sake preparation such as poor sanitation or highly contaminated pineapple used during the infusion process. The first sample of sake that was sent showed no spoilage problems in the control samples whereas the second sample showed spoilage problems in the control sample. The difference in batches suggests variations in the sake infusion protocol. Despite the high levels of yeast contamination in the second sample of sake, the intervention treatments were still capable of preventing spoilage in the finished product.

If you have any questions regarding the results or the interpretations, please feel free to contact me.

The invoice for the work is enclosed.

Sincerely,



Randy W. Worobo

Kintaro Sake Company
Set 1

Bacterial Counts
(log/ml)

Treatment	1st plating 14 days	2nd plating 23 days	3rd plating 35 days	4th plating 56 days	5th plating 78 days	6th plating 91 days	7 th plating 125 days	8th plating 153 days	9th plating 181 days
control-1	2.94	2.99	2.80	3.05	2.85	3.01	2.89	2.68	2.6
control-2	2.85	2.96	2.87	3.01	2.75	3.09	2.91	2.73	2.6
control-3	2.79	2.67	2.68	3.00	2.77	3.14	2.76	2.57	2.5
300ppm sorbate-1	2.89	2.93	2.76	3.05	2.76	3.02	2.91	2.68	2.5
300ppm sorbate-2	2.94	2.81	2.78	3.05	2.77	3.14	2.93	2.69	2.6
300ppm sorbate-3	2.79	2.92	2.73	2.92	2.75	3.09	2.93	2.72	2.5
145°F-1	2.83	2.81	3.11	3.13	2.76	3.10	2.91	2.64	2.5
145°F-2	2.83	2.90	3.03	3.14	2.77	3.08	2.9	2.70	2.6
145°F-3	2.91	2.95	3.06	3.13	2.74	3.00	2.89	2.60	2.5
300 ppm benzoate-1	3.20	3.06	3.13	3.02	2.79	3.09	2.91	2.67	2.6
300 ppm benzoate-2	3.19	3.83	3.10	3.84	2.72	3.05	2.91	2.68	2.6
300 ppm benzoate-3	3.18	3.87	3.06	3.87	2.75	3.09	2.9	2.64	2.6
benzoate & sorbate-1	3.08	3.83	3.02	2.92	2.69	3.04	2.84	2.63	2.5
benzoate & sorbate-2	3.16	2.74	3.13	3.00	2.70	2.98	2.84	2.59	2.5
benzoate & sorbate-3	3.16	2.77	3.13	3.07	2.77	3.04	1.86	2.62	2.5

Treatment	1st plating 14 days	2nd plating 23 days	3rd plating 35 days	4th plating 56 days	5th plating 78 days	6th plating 91 days	7 th plating 125 days	8 th plating 153 days	9 th plating 181 days
control-1	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0	0.
control-2	0.00	0.00	0.00	0.00	0.00	0.00	0.0	-0.30	0
control-3	0.00	0.00	0.00	0.00	-0.30	0.00	0.0	0.0	0.
300ppm sorbate-1	0.00	0.00	0.00	0.00	-0.30	0.00	0.0	0.0	-0.3
300ppm sorbate-2	0.00	0.00	0.00	0.00	0.00	0.00	-0.30	0.0	0.
300ppm sorbate-3	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0	0.
145°F-1	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0	0.
145°F-2	0.00	-0.30	-0.30	0.00	0.00	0.00	0.0	0.0	0.
145°F-3	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0	0.
300 ppm benzoate-1	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0	0.
300 ppm benzoate-2	0.00	0.00	0.00	0.00	0.90	0.00	0.0	0.0	0.
300 ppm benzoate-3	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0	-0.3
benzoate & sorbate-1	0.00	0.00	0.00	0.00	0.00	0.00	-0.30	0.0	0.
benzoate & sorbate-2	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0	0.
benzoate & sorbate-3	0.00	0.00	0.00	0.00	0.00	0.00	0.0	0.0	0.

Kintaro Sake Company
Set 2

Bacterial Counts
(log/ml)

1st plating 7 days	2nd plating 19 days	3rd plating 40 days	4th plating 62 days	5th plating 82 days	6th plating 123 days	7th plating 151 days	8th plating 179 days
3.60	6.33	5.54	3.60	3.39	2.95	2.67	2.64
3.76	6.34	4.54	3.57	3.22	2.97	2.54	2.60
3.58	6.32	5.40	3.60	3.36	2.92	2.57	2.76
3.53	3.70	3.54	3.61	3.37	3.07	2.78	2.89
3.49	3.59	3.55	3.47	3.40	3.08	2.79	2.85
3.45	3.62	3.52	3.60	3.35	3.04	2.66	2.80
3.56	3.54	3.56	3.53	3.34	3.05	2.51	2.70
3.56	3.59	3.54	3.57	3.45	3.04	2.62	2.72
3.51	3.50	3.64	3.57	3.44	3.00	2.65	2.65
3.55	3.62	3.60	3.54	3.33	3.10	2.80	2.77
3.62	3.65	3.59	3.53	3.36	2.98	2.77	2.77
3.49	3.48	3.49	3.54	3.32	2.99	2.72	2.76
3.56	3.58	3.37	3.56	3.37	2.99	2.88	2.77
3.56	3.49	3.65	3.56	3.41	3.06	2.80	2.79
3.60	3.57	3.65	3.50	3.38	3.07	2.80	2.83

Yeast and Mold Counts
(log/ml)

1st plating 7 days	2nd plating 19 days	3rd plating 40 days	4th plating 62 days	5th plating 82 days	6th plating 123 days	7th plating 151 days	8th plating 179 days
3.26	6.26	5.42	<2.00	0.00	0.00	-0.30	0.00
3.57	6.31	4.00	<2.00	0.00	0.00	0.00	0.00
2.57	6.23	5.36	<2.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	-0.30	0.00	0.00
0.00	0.00	0.00	0.30	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
-0.30	0.00	0.00	-0.30	0.00	0.00	-0.30	-0.30
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
-0.30	0.00	0.00	0.00	0.00	-0.30	0.00	0.00
-0.30	0.00	0.00	0.00	0.00	-0.30	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
-0.30	0.00	0.00	0.18	0.00	-0.30	0.00	0.00